



Signed: October 11, 2007

EDWARD D. JELLEN
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re Case No. 07-41865
NEW WORD OF FAITH CHURCH, CORP., Chapter 11
Debtor./

MEMORANDUM

On September 27, 2007, this court ordered the above case dismissed effective October 9, 2007. The debtor filed this case June 18, 2007, some three and one-half months ago, to stop a scheduled foreclosure sale by means of the automatic stay provided by Bankruptcy Code § 362(a). After the filing, however, the debtor, as a practical matter, abandoned practically all of its duties, and its principal who signed the petition, Nathaniel Brown, left town without being available to discharge any of his responsibilities under the Bankruptcy Code.

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Memorandum

1 Now, the debtor asks the court, ex parte without service of any
2 papers on any parties in interest,¹ on the eve of the foreclosure
3 sale,² to defer the dismissal for 45 days to permit the debtor to
4 file a motion for reconsideration of the dismissal. The debtor
5 makes this request so that it can effect a sale of the subject
6 property to a Benyam Mulugeta, who the debtor claims holds a
7 \$265,000 second deed of trust on the property but whom the debtor
8 did not schedule as a lienholder in Schedule D (Creditors Holding
9 Secured Claims). The sale is to occur for a purchase price of \$1.2
10 million under terms that are not disclosed, pursuant to an alleged
11 contract that is not described (or supplied) in the debtor's moving
12 papers, for an amount that is approximately \$900,000 less than the
13 value the debtor scheduled and \$300,000 less than the amount the
14 debtor now claims, without supporting documentation, is the
15 "appraised value."

16 The rudimentary schedules the debtor has filed list two secured
17 claimants, neither of which is Mr. Mulugeta, each owed "0.00,
18 secured by property worth 0.00." The debtor does not have official
19 counsel of record appointed by the court as required by Bankruptcy
20 Code § 327(a). The debtor has filed no operating reports as
21 required by the court's Local Bankruptcy Rule 2015-2 and has paid no
22 U.S. Trustee's fees.

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24 ¹E-mail notice was sent to the foreclosing lender.

25 ²The debtor filed the motion Friday evening, October 5,
26 2007. The following three days were Saturday, Sunday, and
Monday, an official court holiday.

1 Under the circumstances, the court declines to grant the
2 motion.

3 ** END OF ORDER **
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Memorandum

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Memorandum

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